

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 05, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSHUA F.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:23-CV-3163-TOR

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand. ECF No. 10. The parties have agreed that this case should be remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

WHEREFORE, IT IS HEREBY ORDERED:

1. The Parties' Stipulated Motion for Remand (ECF No. 10) is **GRANTED**.
2. This case is **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The Appeals Council will remand the case to an Administrative Law Judge (ALJ) to:

- Reevaluate the medical opinion evidence;
- If warranted, reevaluate Plaintiff's residual functional capacity;
- If warranted, obtain supplemental vocational expert testimony to determine whether there are jobs that exist in significant numbers in the national economy that Plaintiff can perform with his residual functional capacity;
- Allow Plaintiff an opportunity for a hearing;
- Take the necessary steps to further develop the record; and
- Issue a new decision on the issue of disability.

3. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

4. All pending motions and hearings are **VACATED** as moot.

The District Court Executive is hereby directed to file this Order, provide copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

DATED February 5, 2024.



Thomas O. Rice
THOMAS O. RICE
United States District Judge